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EXTRAORDINARY

भाग II—खण्ड 3—उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 12th January, 1971

S.O. 227.—WHEREAS the All Jammu and Kashmir Plebiscite Front is an association—

(a) which encourages or aids persons and its sympathisers to undertake unlawful activities within the meaning of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967);

(b) the members of which undertake such activities;

(c) such persons and sympathisers or members aforesaid, for example, Sheikh Mohammad Abdullah, Mirza Mohd. Afzal Beg and Shri G. M. Shah have, on diverse occasions (for example, Sheikh Mohammad Abdullah at Kishtwar on 1st May, 1970, and at Naqashband Sahib, Srinagar, on 13th July, 1970, Mirza Mohd. Afzal Beg at Nowbug, Kund, on 13th September, 1970, and at Hazratbal, Srinagar, on 2nd October, 1970, and Shri G. M. Shah at Damhal, Anantnag district, on 26th October, 1970), by words, either spoken or written, or by signs or visible representation, supported a claim to bring about the secession of a part of the territory of India, namely, the State of Jammu and Kashmir (hereinafter referred to as the State), from the Union and asserted a claim to determine whether or not such part will remain a part of the territory of India;

(d) such persons and sympathisers or members have, on such or other occasions, either disclaimed or questioned the sovereignty and territorial integrity of India, by making speeches or in writing to the effect that the State is not a part of India and that the question of accession of the State to India remains to be decided;

(e) which has for its object a so-called settlement of the question of the accession of the State to India through a plebiscite and the said object, which amounts to an assertion of a claim to determine whether the State is, or will remain, a part of the territory of India, is an unlawful activity within the meaning of the said Act;

AND WHEREAS for all or any of the grounds set out in the preceding paragraph, as also on the basis of other facts and materials in its possession which the Central Government considers to be against the public interest to disclose, the Central Government is of opinion that the said Front is an unlawful association;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 3 of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967), the Central Government hereby declares the All Jammu and Kashmir Plebiscite Front to be an unlawful association.

S.O. 228.—WHEREAS the Central Government in the Ministry of Home Affairs has, by its notification No. S.O. 227 dated 12th January, 1971, made under sub-section (1) of section 3 of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967), declared the All Jammu and Kashmir Plebiscite Front (hereinafter referred to as the 'Plebiscite Front') as an unlawful association;

AND WHEREAS the Central Government is of opinion that circumstances set out below exist which render it necessary for that Government to declare the said association to be unlawful with immediate effect, namely,—

(1) the activities of certain organised militant forces on the other side of the Cease-Fire Line, having as their object the forcible secession of the State of Jammu and Kashmir from the Union, are increasing in tempo and intensity and the activities of the Plebiscite Front which are likely to be taken advantage of by these forces, are also showing signs of increasing tempo and intensity; and

(2) for securing the objects of the Plebiscite Front there is an organised attempt on the part of its members and its sympathisers, to incite certain sections of the youth and the students in educational institutions for resorting to violent activities, which are gathering momentum rapidly and which would become uncontrollable and have an adverse effect on the security of State unless the activities of the Plebiscite Front are checked immediately and its influence among the youth and the students is brought to an end;

NOW, THEREFORE, in exercise of the powers conferred by the proviso to sub-section (3) of section 3 of the Unlawful Activities (Prevention) Act, 1967, the Central Government hereby directs that the notification aforesaid shall, subject to any orders that may be made under section 4, have effect from the date of its publication in the Official Gazette.

S.O. 229.—In exercise of the powers conferred by section 19 of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967), the Central Government hereby directs that all the powers which are exercisable by it under sections 7 and 8 of the aforesaid Act shall be exercised also by the Government of Jammu and Kashmir and that Government may, with the previous approval of the Central Government, by order in writing direct that all such powers as have been directed to be exercisable by it shall, in such circumstances and under such conditions, if any, as may be specified in the direction, be exercised by any authority subordinate to it as may be specified therein.

[No. F.11/1/71-K(Part-I)].

ASOKA SEN, Jt. Secy.

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